

### **Amendments to the Claims:**

This listing of claims replaces all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1-10. (Cancelled)

11. (Currently Amended)                      A method in a Radio Network Controlling unit in a mobile telecommunication network for including a detected set cell in an active set, wherein said detected set cell is a cell not identified by the network and said active set is the set comprising the base stations simultaneously connected to the same mobile terminal in soft handover, said method comprising the steps of:

receiving a measurement report comprising a detected set cell from a mobile terminal located in a first cell;

providing a list for the first cell in the network with cells not defined as neighboring cells to the first cell, wherein the cells in the list are grouped based on their scrambling codes;

identifying the scrambling code of the detected set cell;

creating a temporary relation between one of the cells in the list having an identical scrambling code as the detected set cell and one cell in the AS; and,

adding the one of the cells in the list having an identical scrambling code as the detected set cell to the active set;

determining if the added cell in the list corresponds to the detected set cell by performing uplink synchronization and, if uplink synchronization is achieved:

confirming that the detected set cell is the added cell of the list;

converting the temporary relation into a permanent relation; and,

removing the added cell from the list; and,

if uplink synchronisation is not achieved, putting the added cell in a specific position of the list.

12. (Previously Presented) The method according to claim 11, wherein the temporary relation is created between a cell in the list having an identical scrambling code as the strongest detected set cell, and one cell in the AS.

13. (Cancelled).

14. (Currently Amended) The method according to claim ~~[[13]]~~ 11, further comprising the step of informing the mobile terminal in soft handover about the added cell to the active set by transmitting a message comprising the scrambling code of the cells in the active set.

15. (Currently Amended) A Radio Network Controller (RNC) in a mobile telecommunication network adapted for including a detected set cell in an active set, wherein said detected set cell is a cell not identified by the network and said active set is the set comprising the base stations simultaneously connected to the same mobile terminal in soft handover, said RNC comprising:

means for receiving a measurement report comprising a detected set cell from a mobile terminal located in a first cell;

means for providing a list for the first cell in the network with cells not defined as neighboring cells to the first cell, wherein the cells in the list are grouped based on their scrambling codes;

means for identifying the scrambling code of the detected set cell;

means for creating a temporary relation between one of the cells in the list having an identical scrambling code as the detected set cell, and one cell in the AS; and,

means for adding the one of the cells in the list having an identical scrambling code as the detected set cell to the active set;

means for determining if the added cell in the list corresponds to the detected set cell by performing uplink synchronization;

means for confirming that the detected set cell is the added cell of the list if uplink synchronization is achieved;

means for converting the temporary relation into a permanent relation;  
means for removing the added cell from the list; and,  
means for putting the added cell in a specific position of the list if uplink  
synchronization is not achieved.

16. (Previously Presented) The RNC according to claim 15, further comprising means for creating the temporary relation between a cell in the list having an identical scrambling code as the strongest detected set cell and one cell in the AS.

17. (Cancelled).

18. (Currently Amended) The RNC according to claim ~~[[17]]~~ 15, further comprising means for informing the mobile terminal in soft handover about the added cell to the active set by transmitting a message comprising the scrambling code of the cells in the active set.

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